



February 28, 2003

HOUSE BILL No. 1870

DIGEST OF HB 1870 (Updated February 26, 2003 8:34 PM - DI 51)

Citations Affected: IC 6-1.1.

Synopsis: Assessment of low income housing. Establishes standards for the determination of the true tax value of low income housing.

Effective: March 1, 2003 (retroactive).

Buell, Crawford

January 23, 2003, read first time and referred to Committee on Ways and Means.
February 27, 2003, amended, reported — Do Pass.

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HB 1870—LS 7673/DI 51+



February 28, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1870

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-1-8.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 MARCH 1, 2003 (RETROACTIVE)]: **Sec. 8.7. "Low income**
4 **housing" means real property that on an assessment date is used**
5 **to obtain or receives any of the following benefits:**

6 (1) **Low income housing credits under Section 42 of the**
7 **Internal Revenue Code.**

8 (2) **Low interest loans for benefits from the United States**
9 **Department of Agriculture Rural Housing Section 515**
10 **Program.**

11 (3) **Below market, federally insured, or governmental**
12 **financing for housing, including tax exempt bonds under**
13 **Section 142 of the Internal Revenue Code for qualified**
14 **residential rental projects.**

15 (4) **A grant or low interest loan under Section 235 or 236 of**
16 **the National Housing Act (12 U.S.C. 1715z or 12 U.S.C.**
17 **1715z-1) or 42 U.S.C. 1485.**

HB 1870—LS 7673/DI 51+



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1 **(5) A government rent subsidy for housing.**

2 **(6) A government guaranteed loan for a housing project.**

3 SECTION 2. IC 6-1.1-6.9 IS ADDED TO THE INDIANA CODE
4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 MARCH 1, 2003 (RETROACTIVE)]:

6 **Chapter 6.9. Low Income Rental Housing; Assessment**

7 **Sec. 1. The value of any tax incentive credits or other**
8 **government subsidies, including below market financing, granted**
9 **for the construction, conversion, or use of property as low income**
10 **housing may not be considered in determining the true tax value of**
11 **the property regardless of whether the credits or other subsidies**
12 **are made available, directly or indirectly, to compensate the owner**
13 **for the rental of low income housing at a rate that is less than the**
14 **fair market rental rate for the property.**

15 SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1870, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 3 through 21.

Page 2, delete lines 26 through 27.

Page 2, line 28, delete "Sec. 2." and insert "**Sec. 1.**".

Page 2, delete lines 36 through 42.

Delete pages 3 through 4.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1870 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 25, nays 0.

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